IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 31172 of 2004(J)

PETITIONER:

K.V.GEORGE, KUNNAPPALLY HOUSE,
NEENDAPARA P.O., KOTHAMANGALAM-VIA,
ERNAKULAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,
SRI.P.S.LAL MANOJ,
SRI.C.P.SIVADASAN NAIR,
SRI.BENNY JOSEPH KURUVATHAZHA,
SMTJIJY PAUL,
SRI.K.I.SAGEER,
SMT.A.KUMARI MINI.

RESPONDENTS:
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1. **KAVALANGADU GRAMA PANCHAYAT, REP.**
   BY ITS SECRETARY, OFFICE OF THE KAVALANGADU
   GRAMA PANCHAYAT, NELLIMATTAM P.O.,
   KOTHAMANGALAM-VIA, ERNAKULAM DISTRICT.

2. **KAVALANGADU GRAMA PANCHAYAT COMMITTEE,**
   REP. BY ITS PRESIDENT, OFFICE OF THE KAVALANGADU
   GRAMA PANCHAYAT, NELLIMATTAM P.O.,
   KOTHAMANGALAM-VIA, ERNAKULAM DISTRICT.

3. **THE ASSISTANT ENGINEER,**
   L.S.G.D., PUBLIC WORKS SECTION),
   KEERAMPARA, KOTHAMANGALAM-VIA,
   ERNAKULAM DISTRICT.

BY ADV. SRI.A.T.ANILKUMAR FOR R1 & R2.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.31172/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE SCHEDULE OF THE WORK AWARDED TO THE PETITIONER.

EXT.P.2: COPY OF THE DECISION TAKEN BY THE R.2. IN ITS MEETING HELD ON 04/08/2003.

EXT.P.3: COPY OF THE COVERING LETTER NO. L-16/2003 DTD. 10/12/2003 ISSUED BY THE R.3.

EXT.P.4: COPY OF THE DECISION TAKEN BY THE 1ST AND 2ND RESPONDENTS IN ITS MEETING HELD ON 17/05/2004.

EXT.P.4.A: COPY OF THE LETTER NO. K2-128/03 DTD. 03/06/2004 SENT BY THE R.1. TO THE R.3.

EXT.P.5: COPY OF THE REPRESENTATION DTD. 14/06/2004 FILED BY THE PETITIONER BEFORE THE R.1. WITH ITS COPY TO THE R.2.

RESPONDENT'S EXHIBITS: **NIL.**

//TRUE COPY//

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.31172 OF 2004

Dated this the 18th day of July, 2007

JUDGMENT

In spite of specific direction in that regard, the first respondent has not filed any affidavit stating whether any amount is admittedly due to the petitioner. Under such circumstances, this writ petition is disposed of directing that if admitted amounts are due to the petitioner, that shall be released by the first respondent within a period of two months from the date of receipt of a copy of this judgment. It is further clarified that this judgment will not stand in the way of the petitioner seeking appropriate relief in case of undisputed amounts.

The writ petition is allowed as above.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.